

September 10, 2014

Delivered via electronic mail

Ms. Brenda South
USEPA REGION 8
1595 Wynkoop St.
Mail Code: 8P-R
Denver, CO 80202-1129

Re: Request for modification of decontamination method and temporary storage extension

Dear Ms. South,

The purpose of this letter is to follow up on our discussion this afternoon regarding Thermo Fluids request to modify the decontamination method for one tank at our Salt Lake City facility and to request a thirty day extension for temporary storage in addition to the 30 days allowed per 40 CFR 761.65(c)(1)(iv).

As you know, Thermo Fluids has experienced a PCB contamination event at our Salt Lake City facility. This event has contaminated approximately 93,709 gallons of used oil that has to be disposed of at a facility permitted to incinerate TSCA source material. We have plans to dispose of this material at the Clean Harbors, Aragonite Utah facility which is fully permitted to handle this waste and is the closest facility to our location in Salt Lake City.

Clean Harbors is currently shut down to perform semi-annual maintenance and is not anticipated to come back on line until September 19th, 2014. Because of this shutdown, their facility storage is at capacity and they are not able to take our material right away. While our plan is to start shipping the contaminated oil starting the week of the 22nd, the logistics and the large volume of material to be moved puts Thermo Fluids in a position of potentially exceeding the allowed 30 day storage in temporary units noted in 40 CFR 761.65(c)(1)(iv).

Because our facility meets the physical characteristics of an approved facility described in 40 CFR 761.65(a)(4) and that we have an SPCC plan for this facility, we are requesting a thirty day extension to our allowed storage period of 30 days allowed by 40 CFR 761.65(c)(1)(iv). Under this extension, we would have until October 27th to move all of the waste off-site. Notwithstanding the extension, we will move as expeditiously as possible to balance the safe, cost effective removal of the material.

In addition to the request for a 30 day extension of temporary storage, we would like to ask Region 8 to allow us to make a single exception to the decontamination protocols called out in 40 CFR 761.79(c)(1) "Any person decontaminating a PCB Container must do so by flushing the internal surfaces of the container three times with a solvent containing <50 ppm PCBs. Each rinse shall use a volume of the flushing solvent equal to approximately 10 percent of the PCB Container capacity."

While we will flush three of the four tanks in accordance with this procedure, we would like to propose that we use solvent equal to 10% of the contained material in the fourth tank, referred to as RFO-26. The reason for this request is that RFO-26 is a 250,000 gallon tank which contains only 93,709 gallons of material. Ten percent of the tank capacity is equal to 25,000 gallons of diesel solvent.

Since the tank contents tested non-detect for PCBs, and since we will be using equipment that will be able to rinse the entire interior surface of the tank after we have removed any tank bottoms or sludges, we are requesting to use 10% of the contained material or 9,400 gallons of diesel. This will be just as effective as demonstrated by wipe tests and will save over 15,000 gallons of virgin diesel fuel.

While Thermo Fluids understands that no approval of a decontamination plan is required if following the procedures and standards specified in the regulation, I am sending you a copy of our decontamination plan for your reference since we are asking for this single exception.

TFI will also comply with the additional requirements at 761.79 (e),(f) and (g) relating to minimizing exposure during decontamination, reporting and disposal respectively as well as 761.60(a) with regard to disposal.

Finally, while not required, TFI will provide your office with a report at the conclusion of the decontamination project as a courtesy and best practice.

I look forward to your timely response to our request.

Respectfully,



Greg Hedger
Corporate Director – EHS
Thermo Fluids, Inc.

Cc:

T. Sinclair – Chief Operating Officer, Thermo Fluids Inc.